



December 16, 2021

Via ECF

Magistrate Judge Marcia M. Henry
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Melendez v. Eden Palace, Inc. et al.*
Eastern District Case No.: 21-CV-00949-MKB-MMH

Dear Judge Henry:

Our firm represents the Defendants in the above-referenced matter. Jointly with Plaintiff's counsel, we respectfully submit this letter to provide a status update in accordance with Paragraph 6 of the Court's October 14, 2021 Order (the "Order") (ECF No. 23).

The parties exchanged their respective disclosures pursuant to the Order and on December 9, 2021, your undersigned met and conferred with Plaintiff's counsel, Clela Errington, Esq., about possible settlement of the matter. During this discussion, I explained the records produced by Defendants and how they refute the claims and damages sought by Plaintiff. Once the documents were explained to Ms. Errington, coupled with additional information about Plaintiff's purported claims, Ms. Errington advised that she would have a discussion with her client about the defenses that would be advanced to possibly provide a revised settlement demand after such discussion was had with her client. The Plaintiff is currently reviewing the records provided by Defendants and considering their claims, but as yet has not determined whether a revised settlement demand is appropriate. As such, no meaningful settlement discussions have taken place. The parties remain willing to attempt to resolve this matter amongst each other with additional time or proceed with mediation if the Court so directs.

Thank you for your time and courtesies.

**CAMPOLO, MIDDLETON
& MCCORMICK, LLP**

Respectfully submitted,

By: 
Yale Pollack, Esq.

cc: All Parties of Record (via ECF)